

REMARKS

Applicants have amended their claims in light of amendments made to the claims of International (PCT) Application No. PCT/JP00/04046, of which the above-identified application is a National Stage Application filed under 35 USC §371, and in order to add new claim 41 to the application.

Specifically, the subject matter of claim 2 has been incorporated into claim 1; and in light thereof, claim 2 has been cancelled without prejudice or disclaimer, and dependencies of claims 3 and 4 have been amended. Claim 5 has been amended to add steps (c) and (d); that is, to add steps of forming a patterned masking layer over the second insulating film, and subjecting the second insulating film, while having the masking layer thereover, to plasma etching treatment with the first insulating film as an etching stopper, in a gas atmosphere containing a fluorocarbon-gas-containing etching gas and a nitrogen gas, thereby forming a first recess in the second insulating film.

Claims 9-12 have been cancelled without prejudice or disclaimer. Claims 18-21 have also been cancelled without prejudice or disclaimer. In light of the election in response to the restriction requirement in the Office Action mailed July 30, 2003, discussed infra, claims 22-24 stand as withdrawn claims.

Claim 30 has been amended to recite that the second insulating film is subjected to first plasma etching treatment with the first insulating film as an etching stopper in a first gas atmosphere containing a fluorocarbon-containing

etching gas and a nitrogen gas, while having the masking layer thereover.

Note corresponding amendments to claim 40.

New claim 41 defines a manufacturing process of a semiconductor integrated circuit device, including forming an insulating layer containing an organosiloxane homopolymer as a main component, over a main surface of a semiconductor substrate; forming a patterned masking layer over the insulating layer; and etching the insulating layer including the organosiloxane homopolymer with the patterned masking layer as a mask, with the etching being performed by a plasma etching in a gas atmosphere containing a fluorocarbon-gas-containing etching gas and a nitrogen-containing gas. Note, for example, pages 69 and 94 of Applicants' original disclosure, particularly together with claim 1.

The restriction requirement set forth in the Office Action mailed July 30, 2003, in the above-identified application, is noted. Applicants respectfully elect the Group II claims (claims 1-17 and 25-40), which the Examiner states is drawn to a method of making a semiconductor device, this election being made without traverse.

It is respectfully submitted that claim 41 should be included with the Group II claims, to be considered on the merits in the present application.

The Information Disclosure Statement submitted August 25, 2003, in the above-identified application, is noted. If this Information Disclosure Statement filed August 25, 2003 is not in the file of the above-identified application when the Examiner takes up the above-identified application for examination, it is respectfully requested that the Examiner contact the

undersigned for a copy of this Information Disclosure Statement. The

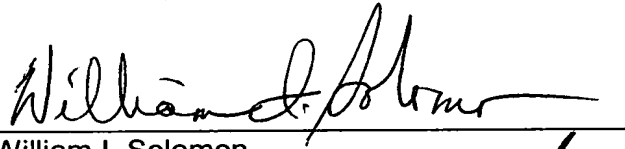
Examiner is thanked in advance for cooperating with this request.

Entry of the present amendments, and examination of the Group II claims (claims 1-8, 13-17, and 25-41, as presently pending) in due course, are respectfully requested.

To the extent necessary, Applicants petition for an extension of time under 37 CFR § 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to the Deposit Account No. 01-2135 (Case No. 501.39082X00) and please credit any excess fees to such Deposit Account.

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP

A handwritten signature in black ink, appearing to read "William I. Solomon", is written over a horizontal line.

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